

REMARKS

Claims 1-62 are currently pending in the application. By this Amendment, claims 1, 11, 18, and 30-35 have been amended, without acquiescence or prejudice to pursue the original claims in a related application. No new matter has been added.

Claim Rejections - 35 USC § 103

Claims 18, 19, 20, 23, 24, 29, 34-36, 47, 48 and 50-54 are rejected under 35 U.S.C. 103(a) as being allegedly unpatentable over Marcy (US Patent: 6,662,342 B1), in view Upton, IV (US Patent 6,742,054 B1) further in view of Bornstein (“Pull Parsing in C# and Java”, published: May 22, 2002, pages 1-9). Claims 1, 2, 3, 4, 8, 10-12, 14, 21, 30, 31-33, 37-38, 40, 42-43, 45, 56, and 60 are rejected under 35 U.S.C. 103(a) as being allegedly unpatentable over Marcy in view of Dreyband et al (US Patent Application: US 2001/0029604 A1) and Upton further in view of Bornstein. Claims 15-17, 57, 58 and 61-62 remain rejected under 35 U.S.C. 103(a) as allegedly being unpatentable over Marcy, Upton, IV, Bornstein and Dreyband et al in view of Wan (US Patent: 2003/0233618 A1). Claims 25-28 remain rejected under 35 U.S.C. 103(a) as being allegedly unpatentable over Marcy, Upton, IV, Bornstein in view of Wan. Claims 5-7, 9, 13, 39, 41, 44, 46, 55 and 59 remain rejected under 35 U.S.C. 103(a) as being allegedly unpatentable over Marcy, Upton, IV, Bornstein and Dreyband et al in view of JAXB (Sun Microsystems, pages 58, and 74, published: January 8, 2003).

Amended claim 18 recites the following features “determining using a processor one or more access parameters for the child node relative to the parent node in accordance with the schema, wherein the at least one access parameter allows the named access procedure to have direct access to an instance of the child node in the data stored in a column of the database, wherein direct access comprises accessing the column of the database for the child node to access an instance of the data associated with the child node without progressive traversal of a hierarchy of nodes defined in the schema” (Emphasis Added). Claims 1, 11, and 30-35 recite similar limitations. This feature is not taught or suggested by the cited references.

Marcy is directed to a method, system and program for providing access to objects in a document. The Office Action admits that Marcy does not teach direct access the column of the database. Thus, Marcy does not disclose or suggest “wherein direct access comprises accessing the column of the database for the child node to access an instance of the data associated with the child node without progressive traversal of a hierarchy of nodes defined in the schema.”

The Office Action failed to show that Bornstein suggest or teach direct accessing the column of the database as claimed. Thus, the Office Action admits Bornstein does not disclose or suggest “wherein direct access comprises accessing the column of the database for the child node to access an instance of the data associated with the child node without progressive traversal of a hierarchy of nodes defined in the schema.”

Upton does not remedy the deficiencies present in Marcy and Bornstein.

Applicants respectfully submit that Upton does not disclose or suggest “determining using a processor one or more access parameters for the child node relative to the parent node in accordance with the schema, wherein the at least one access parameter allows the named access procedure to have direct access to an instance of the child node in the data stored in a column of the database, wherein direct access comprises accessing the column of the database for the child node to access an instance of the data associated with the child node without progressive traversal of a hierarchy of nodes defined in the schema” (emphasis added).

Upton is directed toward transforming input message data from a first application into an output message accepted by a second application (Upton, Abstract, Col. 6 lines 28-40). Upton discloses that an iterator steps through the array of the input message data and transforms the input message data into an output message (Upton, Figure 5). Upton is directed toward transforming an input message to an output message with the use of iterators (Upton, Abstract, Figure 5). Iterators are associated with sequences and are used to determine the processing of elements of a sequence (Upton, Column 12, lines 63-65). When getting the data to be associated with the iterator, each iterator contains a pointer to the array of the data under the control of that iterator, with respect to its parent iterator... the iterator points to the data array at the correct element, and the schema node(s) are used to compute the location of the field within a particular

container. Field data (e.g. customer.address.city, the city field of an address container) is referenced based upon the current position of the relevant iterators (Upton, Column 27, line 50 - Column 28 line 17).

Applicants respectfully submit that Upton discloses an iterator to iterate and access all elements in an array. Upton is directed toward the transforming of an input message and specifically relies on an iterator in the cited sections to iterate through and process the sequences of elements in an input message. Upton discloses that all elements accessed by a pointer to access a field/container in the array. The field/container of the array is not the same as a column of a database because an array is not the same as a database. Moreover, accessing the array of Upton is not the same accessing a column of the database because the array is not associated with any database as claimed. Also, the array includes different fields while the column of the database has the same datatype because it represents the same field of the database. Upton is silent with respect to accessing any columns of any database as claimed. Moreover, Upton does not disclose direct access of the column in the database as claimed. Thus, Upton does not disclose or suggest “wherein direct access comprises accessing the column of the database for the child node to access an instance of the data associated with the child node without progressive traversal of a hierarchy of nodes defined in the schema.”

For at least the foregoing reasons, Applicants respectfully submit that claim 18 and its dependent claims are allowable over Marcy, Upton, Bornstein and their combination.

Claims 1, 11, and 30-35 recite similar limitations as claim 18. Therefore, these claims and their respective dependent claims are patentable over Marcy, Upton, Bornstein, the other cited references, and their combination.

CONCLUSION

Based on the foregoing, all remaining claims are in condition for allowance, which is respectfully requested. If the Examiner has any questions or comments regarding this response, the Examiner is respectfully requested to contact the undersigned at the number listed below.

To the extent that any arguments and disclaimers were presented to distinguish prior art, or for other reasons substantially related to patentability, during the prosecution of any and all parent and related application(s)/patent(s), Applicant(s) hereby explicitly retracts and rescinds any and all such arguments and disclaimers, and respectfully requests that the Examiner re-visit the prior art that such arguments and disclaimers were made to avoid.

The Commissioner is authorized to charge any fees due in connection with the filing of this document to Vista IP Law Group's Deposit Account No. **50-1105**, referencing billing number **OI7035732001**. The Commissioner is authorized to credit any overpayment or to charge any underpayment to Vista IP Law Group's Deposit Account No. **50-1105**, referencing billing number **OI7035732001**.

Respectfully submitted,

Dated: March 13, 2009

Vista IP Law Group LLP

1885 Lundy Avenue,
Suite 108
San Jose, CA 95131
Telephone: (408) 321-8663

By: /Jasper Kwoh/

Jasper Kwoh
Registration No. 54,921
for
Peter C. Mei
Registration No. 39,768